

REMARKS

I. Claims Rejected Under 35 U.S.C. § 103

Claims 1-4, 6, 9-11, 15-18 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,253,605 to Bloom in view of U.S. Patent No. 6,896,264 to Haber. There must be some motivation or suggestion to combine two prior art references. In this instance, there is no such motivation.

Bloom was granted in 1941 and Haber was granted in 2005. The Examiner now combines these two references in an attempt to render the present claims obvious. However, there is no motivation to do so. Bloom is directed to a game having an objective similar to that of the present invention, but Bloom discloses a mechanical game using physical dice. The mechanical game is severely limited in its presentation. On the other hand, Haber is a craps style game that may be played electronically but that is completely unrelated to the game disclosed by Bloom.

Even assuming the combination is proper, applicant has amended independent claims 1, 9 and 16 to recite the payout being related to the sum of the final roll used to clear the series of numbers. Thus, the more difficult the final sum achieved to eliminate the final numbers from the series of the numbers, the greater the payout. For example, achieving a final total of ten would correspond to a greater payout than rolling a final total of six since the sum of ten is more difficult to roll than the sum of six. Nothing in Bloom or Haber suggests or teaches such an enhanced payout. The Haber payouts are based on dice sums being greater than or less than 7 or on consecutive dice rolls having the same sum. There is no disclosure or teaching of payouts based on the sum of the dice on a final roll achieved to clear the series of numbers.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,253,605 to Bloom in view of U.S. Patent No. 6,554,281 to Flannery.

While Flannery does show a pyramid comprising listed numbers, Flannery is completely unrelated to the game disclosed by Bloom. One skilled in the art would not look to modify Bloom with the teachings of Flannery. Even if the combination was proper, Flannery, like Bloom and Haber, fails to disclose payouts being related to the sum of the final roll of dice used to clear the series of numbers.

Claims 7, 8, 12-14 and 19-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bloom and Haber in further view of U.S. Patent No. 5,851,148 to Brune et al.

Brune fails to disclose any game that requires a player to successfully clear or otherwise defeat a successive games in order to reach a bonus or progressive award. It is agreed that Brune discloses a mechanism to build up to a bonus through playing multiple games, but Brune does not base it on defeating the multiple games. In other words, in Brune, just playing the game, regardless of the game outcomes, causes a player to progress toward a bonus. Even if Brune did disclose the claimed bonus and progressive features of the present invention, Brune, like Bloom, Haber and Flannery, fails to disclose payouts being related to the sum of the final roll of dice used to clear the series of numbers.

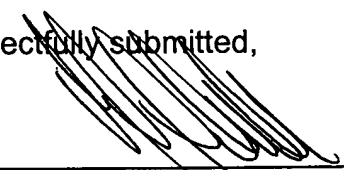
II. Conclusion

It is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are respectfully requested. Should any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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